

Serial No. 09/846,698

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

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#6
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**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

UTILITY PATENT

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|--------------|-------------------|-------------------|--------------|
| Applicants: | Mack et al. | Docket No.: | 29930.4500 |
| Serial No.: | 09/846,698 | Group Art Unit: | 1732 |
| Filing Date: | April 30, 2001 | Examiner: | G. Shipstead |
| Title: | DECORATIVE CANDLE | Confirmation No.: | 2897 |

TECHNOLOGY CENTER 2800

APR - 9 2004

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RESPONSE

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed March 12, 2003, please accept this response to the restriction requirement entered pursuant to 35 U.S.C. §121 for the above-identified application.

REMARKS

The March 12, 2003 Office Action states that the application discloses the following distinct inventions:

- I: Claims 1-12, drawn to a glitter candle composition, classified in class 44, subclass 275
- II: Claims 13-16, drawn to a method of preparing a glitter candle composition, classified in class 264, subclass 319

The subject Office Action requires Applicant to elect one of the foregoing inventions. In this regard, the following election is made without waiver, estoppel and without prejudice to the filing of one or more related applications directed to the subject matter of the non-elected invention:

Applicants hereby elect the invention described in Group I. Applicants submit that the foregoing election conforms this application to the Examiner's requirement to elect a single invention.